

**FISHER ISLAND MUNICIPAL ADVISORY COMMITTEE
COMMITTEE MEETING**

UNAPPROVED MINUTES FOR
WEDNESDAY, DECEMBER 15, 2004

FISHER ISLAND TENNIS CENTER

1. Call to Order

With MAC Chairperson, Ira Ostrow presiding, the December 15, 2004 Fisher Island MAC meeting was called to order at 6:00 PM.

2. Role Call

Present were the following:

Robert Vole
Jorge Garcia
Javier Acosta
Ira Ostrow

Carolyn Sakolsky arrived late

3. Approval of Minutes

Mr. Ostrow called a motion to approve the Minutes of prior Minutes (except the meeting of 11/17/04). The motion was seconded a vote was taken and the Minutes were approved.

Copies of the Minutes of 11/17/04 meeting were handed to Jason Rodriguez and MAC members present.

4. Metro-Dade Police Department Follow-up Presentation

Mr. Ostrow introduced Captain O'Donnel and Officer Dak Simonton. Mr. Ostrow provided background on the requirement of maintaining a relationship with the Miami-Dade Police Department for three years and a fourth transition year if required. He also described the police department's prior assessment of the Island's needs and presentation at the prior meeting.

The meeting was turned over to Captain O'Donnel of the Miami-Dade Police Department who discussed that they are in the process of reviewing the staffing needs and the issues that affect department policies. They will provide a new presentation at a later time once their legal department has completed the review

of contracts and staffing needs.

Capt. O'Donnel explained the Favorite Nation Clause "me too clause" that is one of the concerns that the legal department is looking at, where they have to be sure that Fisher is not seen at favoritism because of the unique nature of the Island.

Mr. Ostrow discussed that Fisher Island deserves to be treated logically because a large city can't consider themselves to have the same needs as a one square mile city that is surrounded by water.

Capt. O'Donnel stated that these are the issues being examined.

Jason Rodriguez explained that ultimately the decision will be made by the policy makers (Board of County Commissioners).

Mr. Ostrow says that if they were to enter into a contract with the police department based on the prior presentation, it would be more than the UMSA savings. Therefore, an agreement would have to be reached that takes into account the nature of the island, the size, the secure boundaries and the crime rate.

Jorge Garcia asked Jason Rodriguez if every other line item concerning Fisher's incorporation will be measured against a contract that has been previously agreed upon with another city.

Mr. Rodriguez stated that that is correct. At the end when this MAC prepares a conceptual agreement that the County attorney agrees with, that conceptual agreement will be looked against for other municipalities. That's how the "Most Favorite Nation Clause" functions. Every municipality that has incorporated seeks adoption of that particular ordinance requires us to work that way.

Mr. Ostrow asked Capt. O'Donnel if the police department could have another proposal ready for the MAC meeting of January 26, 2005. It was agreed that if any interim suggestions should come up by the public meeting of January 5th, the police department is welcome to attend the meeting at that time.

5. General Discussion on Incorporation

Mr. Ostrow discussed that all facets are moving forward. There are general matters to be resolved like a charter; police, which is being worked on; general meetings - a minimum of 2 are required and the first will be January 5th - it is important to gather the communities consensus on incorporation; etc. There is a lot of work to do but it is moving forward.

Jorge Garcia raised the question if the MAC had requested a time line from Jason Rodriguez' office. Mr. Rodriguez distributed a time line to the members.

Mr. Rodriguez explained that this time line has no specific dates as to the incorporation, but generally a MAC meets to discuss incorporation feasibility for about one and a half to two years. This is more of a proposed work plan.

Mr. Rodriguez further explained that once the MAC decides to go through with incorporation then the following steps take place:

- There will be three public hearings with three different bodies – the Boundaries Commission, the Planning Advisory Board and the Board of County Commissioners. These three hearings can take between six to nine months to complete these hearings.
- The commissioner who sponsors the Fisher Island MAC will most likely introduce a resolution calling to set a date for Fisher Island voters to vote on whether or not to form a municipality. If the resolution is approved the date will be set and the elections department needs about six weeks to prepare for an election. It could be less because there is only one precinct at Fisher Island.
- If the election favors municipality, then the municipality is created. A charter committee will be created and they will be in charge of writing the charter. This normally takes 45 to 60 days to complete and then it has to be presented to the Board of County Commissioners for approval.
- If the Charter is approved, then another election takes place which again takes another few weeks to vote on the language of the charter.
- As soon as that passes, then comes the election of the municipal officers, which will take another six weeks to three months depending on the date set. At that point you're good to go.

Mr. Ostrow asks if once the public hearing of January 5 happens and the community wants incorporation do they move forward to present to these committees?

Mr. Rodriguez' answer is no. Hearings don't happen until the MAC is complete. After the public hearing the MAC has to start creating a pro forma budget; then move to the conceptual agreement that covers the services for the municipality – it's like a pre-charter; following the conceptual agreement it is decided if you will be able to incorporate.

Mr. Ostrow points out that the next step after the public hearing should then be another MAC meeting to discuss the results of the public hearing.

6. Public Hearing of January 5, 2004

Mr. Ostrow explained that an agenda will be prepared for the meeting to include presentations by Commissioner Barreiro, the Mayors of Sunny Isles and Doral, as well as the City Manager of Indian Creek and Lynn Dannheisser, City Attorney of Sunny Isles Beach.

During the meeting the MAC will cover the meaning of UMSA and there will be a Q&A session so that residents can express their questions or concerns to the most qualified person.

7. Public Meeting: Wednesday, January 5, 2004; 6 PM at the Mansion

8. Next MAC Meeting: Wednesday, January 26, 2005; 6 PM

9. Adjournment: Motion was made for adjournment and seconded and the meeting was adjourned.